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PTO/SB/21 (6-98)  
Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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Section 7b  
BOX 566

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 09/965,116

Filing Date September 26, 2001

First Named Inventor Kandimalla

Group Art Unit 1632

Examiner Name

Attorney Docket Number HYZ-479CP (47508.577)

## ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Response
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Small Entity Statement
- Request for Refund

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Additional Enclosure(s) (please identify below)

Postcard

## Remarks

Declaration and Power of Attorney Statement under 37 CFR 1.821(f)  
Preliminary Amendment  
Fifty-three (53) sheets of labeled formal drawings

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name Ann-Louise Kerner, Ph.D. (Reg. No. 33,523)

Signature *Ann-Louise Kerner*

Date Dec-14, 2001

## CERTIFICATE OF HAND DELIVERY

I hereby certify that this correspondence is being hand delivered in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: \_\_\_\_\_

Typed or printed name

Date

Signature

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.



TOTAL AMOUNT OF PAYMENT (\$ 65.00)

## Complete if Known

Application Number	09/965,116
Filing Date	September 26, 2001
First Named Inventor	Kandimalla
Examiner Name	Not Yet Assigned
Group Art Unit	1632
Attorney Docket No.	HYZ-479CP (47508.577)

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:  
Deposit Account Number 08-0219  
Deposit Account Name Hale and Dorr LLP

Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
 Applicant claims small entity status.  
See 37 CFR 1.27

2.  Payment Enclosed:  
 Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =		
			-3** =		

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	65.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 65.00)

\*\*or number previously paid, if greater; For Reissues, see above

## SUBMITTED BY

Name (Print/Type)

Ann-Louise Kerner, Ph.D.

Registration No.

(Attorney/Agent) 33,523

Complete if applicable

Telephone 617-526-6192

Signature

Ann-Louise Kerner

Date

DEC 14 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kandimalla et al.

Serial No.: 09/965,116

Filed: September 26, 2001

For:

MODULATION OF IMMUNOSTIMULATORY ACTIVITY OF  
IMMUNOSTIMULATORY OLIGONUCLEOTIDE ANALOGS BY  
POSITIONAL CHEMICAL CHANGES

Art Unit: 1632

Examiner: TBA

Assistant Commissioner for Patents  
Washington, D.C. 20231  
**ATTN: BOX MISSING PARTS**

## CERTIFICATE OF HAND DELIVERY

I hereby certify that this correspondence is being hand delivered in an envelope addressed to: Box  
Missing Parts, Assistant Commissioner for Patents, Washington D.C. 20231.

Date

RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION

Dear Sir:

In response to the Notice to File Missing Parts of Provisional Application mailed on October 26, 2001, filing date granted, applicant submits the following documents for filing in the above-referenced patent application:

1. A copy of the Notice to File Missing Parts of Provisional Application;
2. A properly signed Declaration and Power of Attorney in compliance with 37 C.F.R. 1.163;
3. Preliminary Amendment to the specification directing the entry of the Sequence Listing into the application;
4. Statement under 37 C.F.R. §1.821(f);
5. Paper copy of Sequence Listing;
6. Diskette containing computer-readable copy of sequence listing; and
7. Fifty-three (53) sheets of labeled formal drawings

U.S.S.N. 09/965,116

Kandimalla et al.

Page 2

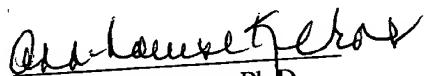
Enclosed is a self-addressed, postage prepaid postcard. Please date stamp the postcard indicating timely receipt by the Patent Office of the subject document, and return it to us for our files.

The Commissioner is hereby authorized to charge \$65 to Deposit Account No. 08-0219 for the Declaration surcharge under 37 CFR 1.16(e).

Please charge any fee deficiency or credit any overpayment in connection with this matter to Deposit Account No. 08-0219.

Respectfully submitted,

Dated: Dec. 14, 2001



Ann-Louise Kerner, Ph.D.  
Registration No. 33,523  
Attorney for Applicants

Hale and Dorr LLP  
60 State Street  
Boston, Massachusetts 02109  
(617) 526-6192 (Telephone)  
(617) 526-5000 (Facsimile)



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/965,116	09/26/2001	Ekambar R. Kandimalla	47508.577

CONFIRMATION NO. 3956

## FORMALITIES LETTER



23483  
 HALE AND DORR, LLP  
 60 STATE STREET  
 BOSTON, MA 02109

Date Mailed: 10/26/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**  
**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. *A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216

- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE